

CHARLES H. PHILLIPS.

---

MAY 7, 1884.—Committed to the Committee of the Whole House and ordered to be printed.

---

Mr. BAGLEY, from the Committee on Invalid Pensions, submitted the following

R E P O R T :

[To accompany bill H. R. 4837.]

*The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4837) granting a pension to Charles H. Phillips, having considered the same, beg leave to make the following report :*

It is shown by the papers in the case that the petitioner enlisted in the service of the United States in May, 1861, in Company B, Twenty-fifth New York Volunteers, as a private, and that he was discharged on the 10th of July, 1863, on account of a gunshot wound in the right thigh, received at the battle of Gaines's Mills. He served as sergeant, and was duly commissioned as second lieutenant on the 9th of May, 1863. After his discharge and partial recovery from his wound, finding that he could not re-enlist, he hired, on the 23d day of December, 1863, as a teamster, and while on duty at Woodville, Ala., herding mules, was captured by guerrillas, taken to Atlanta, Ga., and from thence to Andersonville prison, where he remained confined for ten months. While at Andersonville the varioloid prevailed; claimant was vaccinated, gangrene set in, and he came near losing his arm.

The statement of Michael Gaffney, under oath, is substantially as follows :

That he was captured at Guntown, Miss., June 12, 1864, and arrived at Andersonville prison about the 16th of June, and was a prisoner about five months and twelve days, and was paroled on or about November 24, 1864; was one of the prisoners comprising the ninety-second detachment stationed in the new stockade at Andersonville prison; knew from acquaintance formed in said prison Charles H. Phillips, who represented himself as a teamster belonging to the First Division, Fifteenth Army Corps, and a prisoner with him; remember the 11th July, 1864, when there were hung six men (Union prisoners) at the south gate, of seeing Phillips personally; remembers seeing a great many of our men with their arms in slings after being vaccinated, and knows of a great many comrades dying from said vaccination, and further that said vaccination was ordered and enforced by the rebel authorities, and from all the information he could learn said vaccine matter was of an impure character. Phillips was one of the Union prisoners who suffered from said impure vaccination.

The following affidavits of physicians will show the present condition of claimant, resulting from the vicious vaccination at Andersonville :

Samuel E. Stiles, M. D., testifies that he is now, and has been for fourteen years, a practising physician and surgeon, and is a graduate of the Long Island College Hospital, and that he has personally examined Charles H. Phillips, and finds him sustaining the following injuries: First, a cicatrix about  $2\frac{1}{2}$  inches in diameter on the upper third

of the anterior and inner surface of the right arm, which has caused a partial contraction of the biceps muscle, with resulting partial loss of extension and supination of the arm. This cicatrix also involves and is adherent to portions of the media and ulna nerves, producing pain from the pressure and traction after a short use of the arm, and thereby preventing its use in his trade, that of a painter. Second, a destruction of tissue and atrophy of the left eyeball, with entire loss of vision of the eye from old inflammation. Third, a cicatrix on inner side of the right thigh, about 4 inches above the knee, and one on the posterior part of middle third of thigh, interfering but slightly with the use of the limb.

Deponent further states that in his opinion the injury to the arm was primarily the result of vaccination while a prisoner at Andersonville, and that the inflammation of the eye resulting in its destruction was a secondary result from the same cause.

Edward H. Muncie, M. D., a graduate of the New York Eclectic Medical College, testifies substantially as does Dr. Stiles, and concludes his affidavit by saying that the last two injuries (arm and eye) are the results of impure vaccination, as stated by Phillips, while he was a prisoner at Andersonville.

It is shown by other statements that the bad condition of the vaccinated arm caused the left eye to be affected, till it finally ran out and became totally blind. The right eye was also affected, and he was blind in both eyes for three months, but finally recovered the sight of the right eye. The claimant is a painter by trade, and his condition greatly interferes with his labor and prevents him to a great extent from supporting his family, consisting of his wife and three children. This man is paid a pension of \$6 per month for the wound in the thigh, which was received while he was enlisted, but the Pension Office cannot allow him for the disability to the arm and eye, because he was not enlisted while acting as a teamster. The committee think he should have some pay for the disability accruing from his confinement at the Andersonville prison. Although technically not a soldier, still he was performing arduous and effective service in the heart of the enemy's country, and running all the risks and dangers of death or capture. The committee recommend the passage of the bill, with the following amendments: Strike out, after the word "to," in line 4, the words "place on the pension-roll, subject to the provisions and limitations of the pension laws, the name," and add, at the end of the bill, the words, "and pay him a pension of fifteen dollars per month in lieu of his present pension;" and insert, after the word "to," in line 4, the words, "increase the pension."

○